

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSEPH F. FRANKL, Regional Director  
of Region 20 of the National Labor  
Relations Board, for and on behalf of the  
NATIONAL LABOR RELATIONS  
BOARD,

Petitioner,

v.

UNITED SITE SERVICES OF  
CALIFORNIA, INC.,

Respondent.

No. 2:15-CV-01360-TLN-CKD

**ORDER OF THE COURT IN RESPONSE  
TO PARTIES' STIPULATION**

The Court is in receipt of the parties' Stipulation and Proposed Order for Relief from Minute Order and Page Limit Requirements. (ECF No. 7.) Within such stipulation, the parties:

STIPULATE and AGREE that Petitioner be relieved of this Honorable Court's June 26, 2015, Minute Order, (ECF Docket No. 6), requiring re-filing of his Memorandum of Points and Authorities in Support of Petition for Injunction Under Section 10(j) of the National Labor Relations Act [29 U.S.C. 15 §160(j)] (Docket No. 3), and that both Parties be relieved of the page limitations set forth in the Minute Order and in the Court's Order Requiring Joint Status Report.

(ECF No. 7 at 1.) However, the parties do not have the authority to agree to overrule this Court's orders or filing requirements and would do well to remember such in the future. The parties do

1 correctly note within their stipulation that the Court's Local Rules state that a Petitioner shall file  
2 a Memorandum of Points and Authorities simultaneously with its Petition for Injunction and  
3 evidence supporting the same. (ECF No. 7 at ¶ 2 (citing See Local Rule 231(d)(2)).) The Local  
4 Rules do not anticipate a petitioner filing an eighteen page petition that contains factual and legal  
5 arguments in addition to a fifty-five page memorandum of points and authorities.

6 The Court is cognizant that the parties were not aware of which district court judge this  
7 matter would be assigned at the time of filing. However, seventy-three pages of briefing in  
8 addition to four hundred and twelve (412) pages of exhibits is excessive by any judge's standards.  
9 (See ECF Nos. 1-1; 3-1-3-6.) As such, the Court orders as follows:

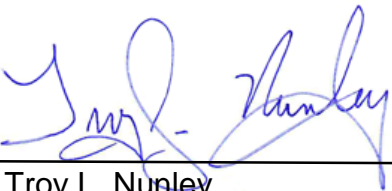
10 1. Petitioner is hereby ordered to refile a memorandum of points and authorities, in  
11 which the briefing is not to exceed thirty (30) pages and to re-notice the motion on an appropriate  
12 civil law and motion hearing date in accordance with this Court's guidelines. Any supporting  
13 exhibits shall be refiled with Petitioner's briefing.

14 2. Respondent shall file the necessary opposition not to exceed thirty (30) pages in  
15 accordance with this Court's guidelines.

16 3. Petitioner's reply briefing shall not exceed fifteen (15) pages.

17 IT IS SO ORDERED.

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19 Dated: July 6, 2015

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23 Troy L. Nunley  
24 United States District Judge  
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